

that a copy of this order, together with a copy of the foregoing petition, be served on the said *Elizabeth* on or before the 18th instant.

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After which the matter standing ready for hearing, and the solicitors of the parties having been heard, and no sufficient cause having been shewn why the prayer of the petition should not be granted, it was on the 30th of March, 1829, *Ordered*, that an injunction issue commanding the said *Elizabeth* to deliver possession of the property to the said *William Brewer*. Which not having been obeyed, a *habere facias possessionem* was awarded, and he was put into possession. Afterwards the auditor stated an account, which was finally ratified on the 22d of October, 1829, from which it appeared, that there was still a balance of the mortgage debt left unpaid by the proceeds of the sales.

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After this case had been thus terminated as against *Elizabeth Murdock*, *William Brewer*, on the 20th of April, 1830, filed his bill against *Gilbert Murdock*, in which *Brewer* stated, that under the before mentioned decree of the 2d of October, 1826, and order of the 9th of February, 1828, he had purchased and become seized of the tract of land in those proceedings mentioned; that this defendant *Gilbert Murdock* had erected, and persisted in continuing to erect, a fence, so as to include a part of the land so purchased by him, this plaintiff; and that he had brought an action of trespass *quare clausum fregit* against *Gilbert Murdock* to recover damages for the trespass so committed, which action was still depending. Upon which he prayed for an injunction to prohibit the defendant 'from continuing the said fence, and enjoining him to remove the said fence already erected;' and for such other relief as the nature of the case might require. To this bill there was subjoined an affidavit of the plaintiff in the usual form. Upon which it was submitted.

20th April, 1830.—BLAND, Chancellor.—The plaintiff prays for an injunction of a more extensive operation than can now be granted. He asks not merely, that things may be preserved in their present condition, but that some things which have been done may be undone; in other words, he asks the court now, and at once, to put forth in his behalf its remedial as well as its conservative powers.

But before imputed wrong can be removed, or any thing like